

FARMINGTON CITY COUNCIL MEETING

May 1, 2012

BUDGET WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Nelsen Michaelson, Cory Ritz, and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

Mayor Harbertson began the meeting at 4:15 p.m. City Finance Director **Keith Johnson** referred to the budget message for the Fiscal Year 2013 and proposed that the City focus on the following elements:

- The transfer of \$300,000 from the General Fund to the Capital Streets Fund for street paving and the reconstruction of south Main Street; and the transfer of \$500,000 to the Capital Park Fund as seed money to develop a new regional park and/or recreation center;
- A 3% overall increase for potential merit employee raises and a 1% increase for employees above a certain grade level;
- No tax or fee increases;
- Staffing—move the part-time secretary in the Community Development Dept. to full-time status and several employees in the Public Works Dept. from seasonal to full-time;
- Cut a portion of the department requests to ensure that the overall financial integrity of the City is maintained;
- Research other health insurance options as CIGNA has proposed a large increase in medical premiums;
- Fund balance will be slightly less than \$500,000 or 7.31% of the General Fund.

Keith Johnson presented various charts and graphs related to each of these points, and there was Council/Staff discussion of each issue. The motion to approve the tentative Budget needs to include a public hearing date for June 19, 2012. There will be a Special Budget meeting for the Mayor, the City Council, and each Department head on Tuesday, May 8, 2012 at 6:00 p.m.

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, Community Development Director David Petersen, City Engineer Paul Hirst, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

Public Works Director **Walt Hokanson** presented information regarding the condition of the City's streets. The City has 163.52 miles of streets to maintain, and the work that has been completed is available on the City's GIS system. For 10 years the main source of funding was from the Class C Gas Tax, but those funds decreased with the downturn in the economy. The \$300,000 from 2012 and an additional \$300,000 in 2013 will help in preventive measures such as slurry seal and chip and seal. Street Superintendent **Ray White** said he inspects all of the streets in the City twice each year, and their

work crews also report any problems they may notice. The weather, frost, and the change of seasons can all change the status of a street. He listed the top ten priorities for street maintenance in the City, and details were included in the staff report.

Northeast Corner of Main Street and 1400 North Partial ROW Vacation

David Petersen said this vacation is necessary for the Villa Susanna PUD to have a fifth lot. Several residents were concerned, but once they were told that the right-of-way is behind the cement barrier, they were fine with it.

Approval of Schematic Plan for the Legacy Estates Subdivision Phases 1 & 2

Mayor Harbertson said the street length is typically measured from the middle intersection of the street to the middle of the cul-de-sac, but there is nothing in writing. **David Petersen** said that if the ordinance is unclear, the advantage goes to the property owner. The Planning Commission felt that the Ordinance should be amended. He also pointed out that one of the neighbors did not place his home strategically (the property was in Davis County rather than Farmington City), and that placement has presented problems for the Packs. **John Bilton** attended the PC meeting, and as he listened to the facts regarding this Plan, he said it may have been better to have some flexibility on this one, because if the rule was hard and fast, the developer would have been forced into a flag lot.

Consideration of Final Plat Approval and Final (PUD) Master Plan for the Villa Suzanna (PUD) Subdivision

David Petersen said the Planning Commission is concerned about additional traffic on 1400 North and asked that the City install a “reduced speed” or “% grade” to warn drivers. They would also like to review the elevations when they are submitted.

Consideration of Final Plat Approval for Phase 5 of the Spring Creek Estates Subdivision

There was a brief discussion regarding improvement agreements on several of these homes which were assigned to the City from Davis County, a future Burke Lane connection, and a one-way street.

Minute Motion Approving Summary Action List

- **Resolution refunding the 2009 \$1,250,000 G.O. Bond**

Keith Johnson informed the Council that the City decided to refinance the 2009 G.O. Bonds (\$1,250,000) at a lower interest rate. The average interest rate will drop from 4.56% to 2.23%, the life of the bonds will be shortened by one year, and the City will save over \$109,000.

- **Temporary Zoning Regulations regarding Smoke Shops**

There was a brief discussion regarding the temporary zoning regulations related to smoke shops. Staff plans to study the provisions of HB95, a bill that was recently approved by the Utah State Legislature and goes into effect on July 1, 2012.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Community Development Director David Petersen, Finance Director Keith Johnson, Public Works Director Neil Miller, City Recorder Holly Gadd Recording Secretary Cynthia DeCoursey, and Youth City Council Member Coleman Barnson.

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Mayor Harbertson began the meeting at 7:00 p.m. An opening prayer was offered by **Nelsen Michaelson**, and the Pledge of Allegiance was led by **Dave Millheim**.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meetings held April 12, 2012 and April 26, 2012

There were no comments and/or questions regarding these two meetings.

Presentation by Scott Zeivler regarding Tree City USA

Scott Zeivler, Utah Division of Forestry, said they partner with the Arbor Day Foundation to recognize cities that are committed to community forestry programs. This is the third year that Farmington City has been recognized, and he complimented the City for its efforts to clean up following the 2011 wind storm, to control black pineleaf scale, and to plant 18 new trees on Comcast Service Day. He presented the Tree City USA award to Public Works Director **Neil Miller** who said Parks Superintendent **Colby Thackeray** implemented the pest management program, and the award belongs to the entire City.

PUBLIC HEARINGS:

Northeast Corner of Main Street and 1400 North Partial ROW Vacation

David Petersen explained that the yield plan for the Villa Susanna development must show four 10,000 square foot (sf) lots. Therefore, the City must vacate portions of the public right-of-way on Main Street and 1400 North to increase the total area from 38,332 sf to 40,000 sf. The area being vacated is directly behind the concrete wall which sits within the current right-of-way and would not cause the sidewalk to be displaced from the right-of-way.

Public Hearing: The Public Hearing was opened at 7:15 p.m. There were no comments, and it was closed.

Motion:

Cory Ritz made a motion to approve the Ordinance vacating a portion of Main Street and 1400 North (as described in Exhibit "A" attached herein) as a public right-of-way. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young**.

Approval of Schematic Plan for the Legacy Estates Subdivision Phases 1 & 2

David Petersen said this 7-lot subdivision south of Glover Lane and approximately 487 West will consist of three one-acre lots in the first phase and four one-acre or larger lots in the second phase. The first three lots will have frontage on a public street extending south from Glover Lane. The City's standard for the length of a dead-end street is 1,000 feet, and the length of this road is slightly less than 1,000 feet. The Planning Commission ruled in favor of the property owner and felt it would be better to allow Lot 203 to be a standard lot rather than force it to be a long flag lot. Other concerns such as water, sewer, and storm will be reviewed in greater detail during the preliminary and final plat stages.

Public Hearing: The Mayor opened the Public Hearing at 7:20 p.m.

Carla Pack Peay, 684 West 910 North, West Bountiful, is **Brad Pack's** sister and a partner with him on this Subdivision. They believe that it will enhance the area and the community.

Eva Gisseman, 465 West 1025 South, said they are not opposed to this plan, but they want the Council to be aware of their water issues. A week ago a broken Weber Basin water line caused flooding on their property. A large portion of the drainage water in this area crosses their property—it has nowhere to go because **Mr. Pack** filled in all of the ditches. Their sewer line (a semi-pressurized line authorized by the Sewer District) and other utility lines are located on the west side of the road, and it would be a significant cost to them if any of the utility lines were damaged. The utility companies do not blue stake the lines because it is a private road.

John Kraczek, 1037 South 650 West, said when he purchased his property 34 years ago, he was told that Doberman Lane would become a public road and that curb and gutter would be installed on both sides, but the road was never dedicated. At the Planning Commission meeting, he and other residents who live west of Doberman Lane were told that they would be required to install their own curb and gutter. He asked what the costs would be and who would collect the funds.

David Petersen said the **Packs** are planning to install the curb and gutter on the east and west sides of the road and full improvements—including the park strip and sidewalk—on the east side. The City would enter into a pioneering agreement with the developer which would stipulate that each property owner pay for their share of the improvements. The City would collect the funds and reimburse the developer. **Dave Millheim** further explained that the property owners are in control of when that happens, but he advised then to wait until it can all be done at the same time. **Mr. Kraczek** said that would be reasonable and thanked City staff for their assistance.

Mike Gisseman, 465 West 1025 South, said when the City finally allowed them to build their home, they put a great deal of time and money into the road. He hauled in all of the materials for the road base, and he would like to be reimbursed for some of it. One of his neighbors—**Karlene Mower**—is land locked, and more than half of **John Kraczek's** property is landlocked. Ditches and ponds in the area are gone now, and the water runs onto his and his dad's property.

The Public Hearing was closed at 7:30 p.m.

Council discussion:

The Mayor asked if the City Engineer is aware of these issues, and **David Petersen** replied that **Tammy North** attended the PC meeting, and **Eva Gisseman** came to the last DRC meeting. He

confirmed that the storm drain line will be located in the road, and at some point there will be a new sewer trunk line for the entire Subdivision which the **Gissemans** will be able to connect with.

Motion:

Jim Young made a motion to approve an exception to the City's Street Design Standards by allowing the proposed cul-de-sac to be longer than 1,000 feet and to approve the attached Schematic Plan for the Legacy Estates Phases 1 & 2 Subdivision (7 lots) located at approximately 487 West Glover Lane, subject to the same conditions and findings established previously by the Planning Commission on April 12, 2012, and an additional finding that staff will conduct a careful review of the drainage issues. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Michaelson, Ritz, Talbot and Young**.

PRESENTATION OF PETITIONS AND REQUESTS:

Consideration of Final Plat Approval and Final (PUD) Master Plan for the Villa Suzanna (PUD) Subdivision

The applicant, **Frank McCullough**, has spoken with several developers/builders regarding this PUD. Each person seems to have their own ideas regarding prices—which could range from \$200,000-\$350,000. It will be a small but very attractive development, and he shared several additional elevations.

Motion:

Jim Talbot made a motion to approve final plat and final master plan; The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Michaelson, Ritz, Talbot and Young**.

Consideration of Final Plat Approval for Phase 5 of the Spring Creek Estates Subdivision

Motion:

Nelsen Michaelson made a motion to approve the Final Plat for Phase 5 of the Spring Creek Estates Subdivision subject to the following conditions:

1. The applicant will work with the City's Development Review Committee to address and comply with any outstanding issues related to the Final Plat—including, but not limited to—planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant must comply with all conditions of preliminary plat approval and provisions of the development agreement.

Cory Ritz seconded the motion which was approved by Council Members **Bilton, Michaelson, Ritz, Talbot and Young**.

Findings:

1. The proposed Final Plat is consistent with the approved Preliminary Plat.
2. The proposed Subdivision meets all the requirements for approval of a final plat.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

1. Resolution refunding the 2009 \$1,250,000 G.O. Bond
2. Ratification of Approvals of Storm Water Bond Logs
3. Installation of Bridge over Shepard Creek, south of Ranches Park
4. Approval of Disbursement Lists for March 2012
5. Temporary Zoning Regulations regarding Smoke Shops

Motion:

Jim Young made a motion to approve the five items on the Summary Action List. **Jim Talbot** seconded the motion, and Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young** approved it.

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS:

Resolution adopting the Tentative Budget for Fiscal Year 2013

Motion:

John Bilton made a motion to approve the Resolution adopting the tentative budget for the Fiscal Year 2012-2013 and to schedule the public hearing to adopt the budget on June 19, 2012. **Jim Talbot** seconded the motion, and Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young** approved it.

GOVERNING BODY REPORTS

City Manager – Dave Millheim

- The Upcoming Agenda Items and To Do Lists were included in the staff report, and he had nothing further to report.

Mayor – Scott Harbertson

- He thanked **Neil Miller** and his staff for the wonderful job they did on the Comcast Day of Service. There were 550 volunteers who participated on multiple projects throughout the City.
- He asked if any Council Members would be able to attend a FEMA emergency training course August 26-31 in Maryland. He offered his spot to a Council Member. **Cory Ritz, Nelsen Michaelson**, and **Jim Young** said they will check their calendars.

City Council

John Bilton:

- No report

Cory Ritz:

- No report

Jim Young:

- No report

Jim Talbot:

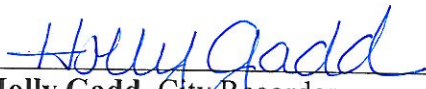
- The paintings for the downstairs lobby are finished, and he asked staff to hang them as soon as possible. He is very pleased with the paintings which were done by Farmington residents and will add life to the building.
- He received an email from resident **Brooke Lewis** who is concerned about young children crossing 200 East near 1395 South on Sundays, and youth who cross at the same location during the week. YCC Member **Coleman Barnson** said residents are expected to cross at the Reading Elementary crosswalk, and resident **Alex Pace** was hit by a car in this area. **Dave Millheim** agreed to speak with **Chris Petersen** at UDOT concerning the issue.

Nelsen Michaelson:

- No report

Motion:

At 8:05 p.m. **John Bilton** made a motion to adjourn the meeting. The motion was seconded by **Nelsen Michaelson** and approved by Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young**.



Holly Gadd, City Recorder
Farmington City Corporation

